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September 28, 2007

**Via ECFS**

Ms. Marlene R. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: Triangle Communication System, Inc.  
Petition for Redefinition**

**CC Docket No. 94-65**

Dear Ms. Dortch:

Pursuant to Federal Communications Commission ("FCC" or "Commission") staff request, Triangle Communication System, Inc. ("TCS"), by its attorneys, hereby supplements its Redefinition Petition<sup>1</sup> with a population density analysis of Central Montana Communications, Inc. ("CMC") and Triangle Telephone Cooperative Association, Inc. ("TTCA") on a wire center basis, rather than on a county basis.<sup>2</sup> In its

<sup>1</sup> See Triangle Communication System, Inc. Petition for FCC Agreement to Redefine the Study Areas of Two Rural Telephone Companies in Montana, CC Docket No. 96-45 (filed August 16, 2007) ("Redefinition Petition"). See also *In the Matter of the Application of Triangle Communication System, Inc. Application for Designation as an Eligible Telecommunications Carrier*, Docket No. D2004.1.6, Petition of Triangle Communication System, Inc. for Designation as an Eligible Telecommunications Carrier (January 16, 2004). *In the Matter of the Application of Triangle Communication System, Inc. Application for Designation as an Eligible Telecommunications Carrier*, Docket No. D2004.1.6, Petition of Triangle Communication System, Inc. for Designation as an Eligible Telecommunications Carrier (January 16, 2004). On November 23, 2005, TCS amended its *ETC Petition* to redefine the study areas of TTCA and CMC. On January 20, 2006, TCS again amended its *ETC Petition* to include an additional wire center in CMC's study area. *In the Matter of the Application of Triangle Communication System, Inc. Application for Designation as an Eligible Telecommunications Carrier*, Docket No. D2004.1.6, Amended Petition of Triangle Communication System, Inc. for Designation as an Eligible Telecommunications Carrier (November 23, 2005) ("Amended Petition"); *In the Matter of the Application of Triangle Communication System, Inc. Application for Designation as an Eligible Telecommunications Carrier*, Docket No. D2004.1.6, Further Amended Petition of Triangle Communication System, Inc. for Designation as an Eligible Telecommunications Carrier (January 20, 2006) ("Further Amended Petition") (the January 16, 2004 Petition, November 23, 2005 Amended Petition and January 20, 2006 Further Amended Petition are referred to collectively herein as "ETC Petition").

<sup>2</sup> In its ETC Petition, TCS submitted population density information at the county level rather than at the wire center level. TCS submitted the population density information at the county level because, at the time TCS filed its ETC Petition, TCS did not have access to population density information at the wire center level and such information

eligible telecommunications carrier ("ETC") Petition filed with the Montana Public Service Commission ("MPSC") and pursuant to Section 214(e)(5) of the Communications Act of 1934, *as amended*, ("Act") and FCC Rule 54.207, TCS requested FCC agreement with the MPSC's redefinition of certain wire centers as separate service areas of the study areas of CMC and TTCA, two rural telephone companies.

In areas where an ETC applicant seeks designation below the study area level of a rural telephone company, the FCC will conduct a cream skimming analysis that, within a study area in which the applicant seeks designation, compares the population density of each wire center in which the ETC applicant seeks designation against that of the wire centers in which the ETC applicant does not seek designation.<sup>3</sup> As stated above, TCS seeks to provide service below the study area level of two rural telephone companies, CMC and TTCA. The population density data provided as Exhibit B demonstrates that TCS will not primarily serve customers in low-cost, high density portions of the study areas of CMC and TTCA. The attached Exhibit B provides detailed population density data including individual wire center population density and the total service area population density of CMC and TTCA.<sup>4</sup> Specifically, TCS provides population data, total square mileage, and population density calculations for each wire center in CMC and TTCA's study areas. Under the Coverage column, the wire centers labeled "Entire" are those wire centers in which TCS provides service to the entire wire center, and therefore, in which TCS seeks redefinition. Consistent with the *Highland Cellular Order*,<sup>5</sup> TCS does not seek ETC designation or redefinition in partial wire centers.

As a general matter, TCS proposes to serve very rural portions of Montana. TCS's proposed ETC service area does not include any urban or metropolitan areas. In fact, the most densely populated wire center in TCS's proposed ETC service area has a population density of 8.34 persons per square mile, hardly the "cream" of potential service areas.<sup>6</sup> In examining population density for the purpose of assessing the likelihood of cream skimming, the FCC has found that there is no likelihood of cream skimming where the population density in the wire centers sought to be served by the ETC is low, even where the average population density of such wire centers may be greater than the average population density of the remaining wire centers.<sup>7</sup> Given the sparsely populated wire centers in CMC's and TTCA's study areas, ranging from less than half a person per square mile to a maximum of 8 persons per square mile, any disparities in population density are clearly not significant.

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was not required, as the MPSC accepted the population density information at the county level. Pursuant to FCC staff request, TCS now submits population density information at the wire center level.

<sup>3</sup> See *In re Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 ¶ 48 (March 17, 2005).

<sup>4</sup> Also attached as Exhibit A for FCC review is a map of TCS's proposed ETC service boundaries.

<sup>5</sup> See *Highland Cellular, Inc. Petition for Designation as an Eligible Telecommunications Carrier for the Commonwealth of Virginia*, CC Docket No. 96-45, Memorandum Opinion and Order, 19 FCC Rcd 6422, ¶ 26 ("Highland Cellular Order") (2004).

<sup>6</sup> By comparison, Manhattan has 66,940 persons per square mile. See U.S. Census Bureau, Census 2000. In contrast, eight persons per square mile may comprise a single household.

<sup>7</sup> See *Virginia Cellular, LLC Petition for Designation as an Eligible Telecommunications Carrier for the Commonwealth of Virginia*, CC Docket No. 96-45, Memorandum Opinion and Order, 19 FCC Rcd 1563 ¶ 34 (2004) ("Virginia Cellular Order") (finding that cream skimming concerns are not raised where the average population density for the wire centers sought to be served by the ETC was 2.3 persons per square mile compared with an average population density of 2.18 persons per square mile in the rest of the study area). By way of comparison, the Commission did find cream skimming concerns were raised where the amount of the difference in population density was "significant" (273 persons per square mile in the targeted areas versus only 33 persons per square mile in the study area as a whole). *Id.* at ¶¶ 34-35.

Although comparing population densities as low as one person per square mile lacks relevance with regard to cream skimming, TCS notes that TTCA's study area has a substantially greater population density than the wire centers TCS seeks to serve.<sup>8</sup> In addition, TCS seeks to provide service to the four highest-cost, lowest density wire centers in TTCA's study area<sup>9</sup> and only one of the six most densely populated wire centers in TTCA's study area.<sup>10</sup> The population density information further illustrates that TCS is not seeking to serve only the low-cost, high density wire centers of CMC and TTCA's study areas.

If you have any questions regarding this matter, please communicate directly with the undersigned.

Sincerely,



Rebecca L. Murphy  
Michael R. Bennet

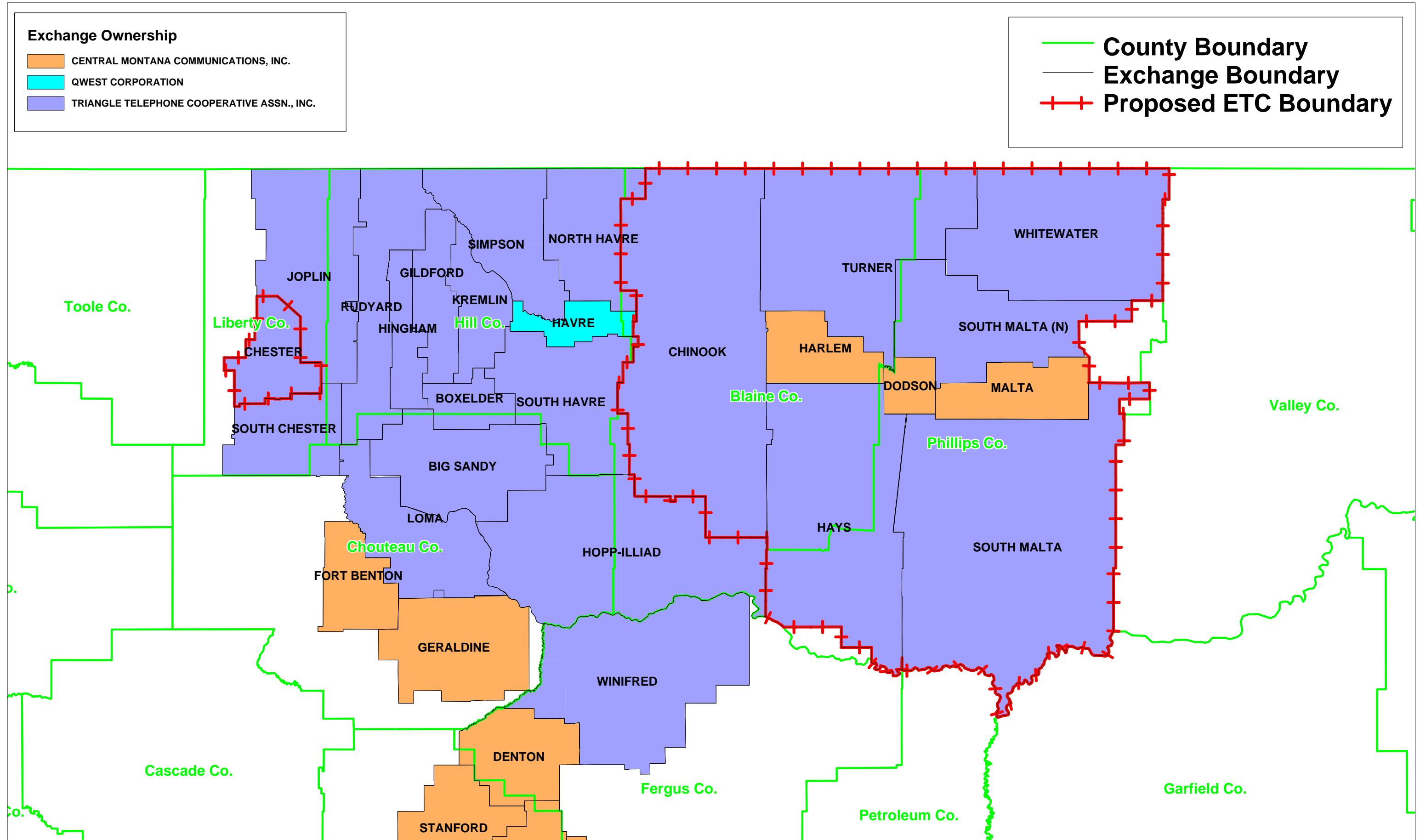
cc: Jennifer Prime  
Rick Stevens  
Gail Rainey  
Bonnie Lorang

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<sup>8</sup> The population density of TTCA's study area (1.47) is almost 50% greater than the population density of the wire centers in that study area TCS seeks to serve (1.02).

<sup>9</sup> The population density of TTCA's study area is 1.47 persons per square mile. The population density of the South Malta wire center is 0.27 persons per square mile. The population density of the South Malta North wire center is 0.63 persons per square mile. The population density of the Turner wire center is 0.51 persons per square mile. The population density of the Whitewater wire center is 0.64 persons per square mile.

<sup>10</sup> TCS does not seek to provide service to the South Havre wire center, by far the most densely populated wire center in TTCA's study area.



# Triangle Communication System, Inc.

Exhibit B

Coverage	ILEC by Wire Center	Total ILEC Service Area			Proposed Triangle Communication ETC Service Area		
		Population	Square Miles	Density	Population	Square Miles	Density
CENTRAL MONTANA COMMUNICATIONS, INC.							
	DENTON	451	340.0	1.33			
ENTIRE	DODSON	65	106.1	0.61	65	106.1	0.61
	FORT BENTON	1797	250.5	7.17			
	GERALDINE	472	525.5	0.90			
ENTIRE	HARLEM	1485	254.6	5.83	1485	254.6	5.83
	HARLOWTON	1538	783.0	1.96			
	HOBSON	351	350.1	1.00			
	JUDITH GAP	680	416.1	1.63			
ENTIRE	MALTA	2471	296.2	8.34	2471	296.2	8.34
	MARTINSDALE	323	686.0	0.47			
	MOORE	786	385.1	2.04			
	STANFORD	822	418.8	1.96			
	WHITE SULPHUR SPRINGS	881	335.2	2.63			
Total Population Coverage (2000 Census Blocks):		12,122			4,021		
Total Coverage Area (square mile):			5,147.21			656.94	
Total Density				2.36			6.12
TRIANGLE TELEPHONE COOPERATIVE ASSN., INC.							
	BIG SANDY	1629	530.0	3.07			
	BIG TIMBER	3415	1363.5	2.50			
	BOXELDER	354	147.9	2.39			
	BROADVIEW	1742	424.0	4.11			
ENTIRE	CHESTER	1116	237.9	4.69	1116	237.9	4.69
ENTIRE	CHINOOK	2781	1786.4	1.56	2781	1786.4	1.56
	GILDFORD	261	238.4	1.09			
ENTIRE	HAYS	2216	1300.0	1.70	2216	1300.0	1.70
	HINGHAM	175	170.7	1.03			
	HOPP-ILLIAD	1569	1160.6	1.35			
	JOPLIN	562	659.1	0.85			
	KREMLIN	247	225.1	1.10			
	LOMA	359	482.5	0.74			
	MELVILLE	517	641.1	0.81			
	MOLT	1134	251.9	4.50			
	NORTH HAVRE	270	396.0	0.68			
	RAPELJE	462	406.4	1.14			
	REEDPOINT	497	320.2	1.55			
	RUDYARD	441	487.6	0.90			
	SIMPSON	307	452.5	0.68			
	SOUTH CHESTER	307	337.1	0.91			
	SOUTH HAVRE	3666	561.9	6.52			
ENTIRE	SOUTH MALTA	567	2111.1	0.27	567	2111.1	0.27
ENTIRE	SOUTH MALTA (N)	395	623.3	0.63	395	623.3	0.63
ENTIRE	TURNER	536	1052.9	0.51	536	1052.9	0.51
ENTIRE	WHITEWATER	620	973.56	0.64	620	973.56	0.64
	WINIFRED	863	1,016.24	0.85			
Total Population Coverage (2000 Census Blocks):		27,008			8,231		
Total Coverage Area (square mile):			18,357.78			8,085.18	
Total Density				1.47			1.02